

1 AN ACT concerning information about children.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the
5 Children's Privacy Protection and Parental Empowerment Act.

6 Section 5. Definitions. As used in this Act:

7 "Child" means a person under the age of 18.

8 "Personal information" means any of the following:

9 (1) A person's name.

10 (2) A person's address.

11 (3) A person's telephone number.

12 (4) A person's driver's license number or State of
13 Illinois identification card as assigned by the Illinois
14 Secretary of State or by a similar agency of another
15 state.

16 (5) A person's social security number.

17 (6) Any other information that can be used to
18 identify a specific individual.

19 Personal information does not include public records as
20 defined by Section 2 of the Freedom of Information Act.

21 Section 10. Prohibited acts. The following acts are
22 prohibited:

23 (a) the sale or purchase of personal information
24 concerning a child without parental consent;

25 (b) the processing of personal information concerning a
26 child by prisoners or convicted sex offenders; and

27 (c) the distribution or exchange of a child's personal
28 information that one has reason to believe will be used to
29 harm or abuse the child.

1 Section 15. Information brokers and solicitors. Persons
2 who broker, solicit, or facilitate the sale of personal
3 information concerning children are required:

4 (a) To disclose to a parent, step-parent, or legal
5 guardian, upon request, the source and content of personal
6 information on file with regard to that person's child,
7 step-child, or ward.

8 (b) To disclose to a parent, step-parent, or legal
9 guardian, upon request, the names of persons or entities that
10 have received or solicited personal information with regard
11 to that person's child, step-child, or ward.

12 (c) Upon the request of a parent, step-parent, or legal
13 guardian, to cease to broker, solicit, or facilitate the sale
14 of personal information concerning that person's child,
15 step-child, or ward.

16 Section 20. Application of the Consumer Fraud and
17 Deceptive Business Practices Act. A violation of any
18 provision of this Act is a violation of the Consumer Fraud
19 and Deceptive Business Practices Act.

20 Section 90. The Consumer Fraud and Deceptive Business
21 Practices Act is amended by changing Section 2Z as follows:

22 (815 ILCS 505/2Z) (from Ch. 121 1/2, par. 262Z)

23 Sec. 2Z. Violations of other Acts. Any person who
24 knowingly violates the Automotive Repair Act, the Home Repair
25 and Remodeling Act, the Dance Studio Act, the Physical
26 Fitness Services Act, the Hearing Instrument Consumer
27 Protection Act, the Illinois Union Label Act, the Job
28 Referral and Job Listing Services Consumer Protection Act,
29 the Travel Promotion Consumer Protection Act, the Credit
30 Services Organizations Act, the Automatic Telephone Dialers
31 Act, the Pay-Per-Call Services Consumer Protection Act, the

1 Telephone Solicitations Act, the Illinois Funeral or Burial
2 Funds Act, the Cemetery Care Act, the Safe and Hygienic Bed
3 Act, the Pre-Need Cemetery Sales Act, the Children's Privacy
4 Protection and Parental Empowerment Act, subsection (a) or
5 (b) of Section 3-10 of the Cigarette Tax Act, subsection (a)
6 or (b) of Section 3-10 of the Cigarette Use Tax Act, the
7 Electronic Mail Act, or paragraph (6) of subsection (k) of
8 Section 6-305 of the Illinois Vehicle Code commits an
9 unlawful practice within the meaning of this Act.
10 (Source: P.A. 91-164, eff. 7-16-99; 91-230, eff. 1-1-00;
11 91-233, eff. 1-1-00; 91-810, eff. 6-13-00; 92-426, eff.
12 1-1-02.)